

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JAMES SANDERS,

Plaintiff,

vs.

Civil Action No. 21-cv-13016  
HON. BERNARD A. FRIEDMAN  
MAG. ELIZABETH A. STAFFORD

BRIAN MORIARTY, *et al.*

Defendants.

/

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION AND GRANTING DEFENDANTS'  
MOTION TO DISMISS THE COMPLAINT, OR IN THE ALTERNATIVE,  
FOR SUMMARY JUDGMENT**

Before the Court is Magistrate Judge Elizabeth A. Stafford's January 6, 2023 report and recommendation. (ECF No. 23). The report recommended that the Court grant defendants' motion to dismiss the complaint, or in the alternative, for summary judgment. (ECF No. 18). None of the parties objected to the report and recommendation pursuant to Fed. R. Civ. P. 72(b)(2).

The Court had an opportunity to fully review the matter and believes that the magistrate judge reached the correct conclusions for the appropriate reasons. Accordingly,

IT IS ORDERED that the magistrate judge's January 6, 2023 report and recommendation (ECF No. 23) is hereby accepted and adopted.

IT IS FURTHER ORDERED that defendants' motion to dismiss the complaint, or in the alternative, for summary judgment (ECF No. 18) is granted in its entirety.

**IT IS SO ORDERED.**

s/Bernard A. Friedman  
Hon. Bernard A. Friedman  
Senior United States District Judge

Dated: January 27, 2023  
Detroit, Michigan

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first-class U.S. mail on January 27, 2023.

James Sanders  
1489 Terrace St.  
Muskegon, MI 49442

s/Johnetta M. Curry-Williams  
Case Manager